Custodial Deaths in States

398. SHRI C.M. IBRAHIM: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the incidence of custodial deaths has been on the rise in different States;

(b) if so, the number of custodial deaths in Karnataka, Maharashtra, Madhya Pradesh, Assam, Bihar, Delhi and other States during 1997-98, 1998-99, 1999-2000 and the current year so far; and

(c) whether this calls for an immediate review and revision of the police and the Prisons Laws, indicating the steps taken in this regard since independence?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) to (c) As per information made available by the National Human Rights Commission, the number of deaths in custody during the last three years i.e. 1997-98, 1998-99, 1999-2000 and 2000-2001 (upto June, 2000) was 1012, 1297, 1143 and 230 respectively. The details of custodial deaths in police and judicial custody during the period under reference are given in the enclosed statement. (*See* below).

'Police' and "Prison' are included in the State List in the Seventh Schedule of the Constitution of India. It is primarily for the State Government to have their own Police Acts enacted. Many State Governments have already done so. As regards Prison Act, it is essentially for the State Government to carry out such amendments in the present Prison Act as they consider necessary. However, guidelines for a model Prison Bill have been circulated to the State Governments.

The Union Government has been issuing guidelines to the State Governments, from time to time, to ensure that their police personnel behave in a humane manner and that cases of police excesses should be taken serious note of and dealt with promptly and firmly. 'Human Right' as a subject has also been included in the training curricula of police personnel.

STATEMENT

Details of custodial deaths

Sl. No.	Name of the States/ Union Territories	1997-98		1998-99		1999-2000		2000-2001 (Upto 6/2k)	
		PC	JC	PC	JC	PC	JC	PC	JC
1.	Andhra Pradesh	21	52	24	98	10	73	01	20
2.	Arunachal Pradesh	02	02	03	—	04	—	—	—
3.	Assam	14	20	16	21	11	23	02	04
4.	Bihar	09	110	09	184	08	152	—	39
5.	Goa	—	03	01	—	02	09	01	—
6.	Gujarat	09	28	08	42	14	21	01	06
7.	Haryana	03	08	03	18	05	23	—	04
8.	Himachal Pradesh	—	—	02	—	01	—	—	—
9.	Jammu and Kashmir	—	—	—	—	—	—	—	—
10.	Karnataka	06	35	08	41	07	34	02	07
11.	Kerala	06	29	04	26	06	14	—	08
12.	Madhya Pradesh	18	43	19	101	14	59	02	17
13.	Maharashtra	19	115	21	98	30	130	04	22
14.	Manipur	01	—	03	—	—	01	—	—
15.	Meghalaya	02	—	01	06	—	02	01	—
16.	Mizoram	—	01	—	—	—	—	—	—
17.	Nagaland	01	—	01	—	—	—	—	—
18.	Orissa	04	19	08	60	01	47	—	14

19.	Punjab	11	26	12	46	11	43	02	11
20.	Rajasthan	12	32	03	49	03	51	02	10
21.	Sikkim	—	—	—	—	—	—	—	—
22.	Tamil Nadu	11	55	13	42	08	48	01	02
23.	Tripura	03	—	01	—	—	—	—	—
24.	Uttar Pradesh	16	169	16	221	26	161	02	29
25.	West Bengal	10	43	06	41	18	44	—	07
26.	Andaman and Necobar	—	—	—	02	01	02	—	—
27.	Chandigarh	—	—	—	—	—	—	—	—
28.	Dadra and Nagar Haveli	—	—	—	—	—	—	—	—
29.	Daman and Diu	—	—	—	01	—	—	—	—
30.	Delhi	12	29	—	17	06	20	01	08
31.	Lakshadweep	—	—	—	—	—	—	—	—
32.	Pondicherry	01	—	—	—	—	—	—	—
	TOTAL:	193	819	183	1114	186	957	22	208